



2743  
2683  
2/19/04  
D.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: BINDER=9

In re Application of:	)	Art Unit: <sup>21607</sup> <del>2743</del>
Yehuda BINDER	)	Examiner: YAO, K.
Appln. No.: 09/594,765	)	Washington, D.C.
Filed: June 16, 2000	)	Confirmation No. 1885
For: TELEPHONE COMMUNICATION	)	February 10, 2004
SYSTEM OVER A SINGLE...	)	

COMMUNICATION

RECEIVED

FEB 13 2004

Technology Center 2600

Honorable Commissioner for Patents  
2011 South Clark Place  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

We are in receipt of an office action dated January 14, 2004, which clearly does not take into account a preliminary amendment that we filed on December 23, 2003. In that preliminary amendment, claims 1-20 were cancelled and claims 21-79 were added.

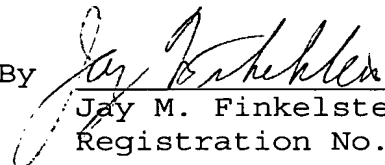
Attached hereto is a copy of that preliminary amendment, together with a copy of our postcard receipt for that

Appln. No. 09/594,756  
Comm. dated February 10, 2004  
Reply to Office Action of January 14, 2004

amendment. It is asked that the preliminary amendment be considered and that a new action treating the amended claims and setting a new period for response be issued.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant

By   
Jay M. Finkelstein  
Registration No. 21,082

JMF:mch  
Telephone No.: (202) 628-5197  
Facsimile No.: (202) 737-3528  
G:\BN\C\cohn\BINDER9\PTO\COMM 10 FEB 04.doc

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Yehuda BINDER

Appln. No. 09/594,765

Date Filed: June 16, 2000

For: TELEPHONE COMMUNICATION SYSTEM OVER A SINGLE...

Honorable Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, Virginia 22202

Sir:

Transmitted herewith is a ☒ **PRELIMINARY AMENDMENT** the above-identified application.

☒ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.

☐ Applicant claims small entity status. See 37 C.F.R. §1.27.

☐ No fee is required.

☒ The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	* 59	MINUS	** 20	39
INDEP.	* 6	MINUS	*** 3	3
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

SMALL ENTITY

	RATE	ADDITIONAL FEE
x	9	\$ 351.00
x	42	\$ 126.00
+	140	\$
ADDITIONAL FEE TOTAL		\$ 477.00

OTHER THAN SMALL ENTITY

	RATE	ADDITIONAL FEE
x	18	\$
x	84	\$
+	280	\$
TOTAL		\$

OR

OR

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- \*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
- \*\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

☒ Conditional Petition for Extension of Time.

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

☐ It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

- ☐ First - \$ 55.00
- ☐ Second - \$ 210.00
- ☐ Third - \$ 475.00
- ☐ Fourth - \$ 740.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

- ☐ First - \$ 110.00
- ☐ Second - \$ 420.00
- ☐ Third - \$ 950.00
- ☐ Fourth - \$ 1480.00

Month After Time Period Set

☐ Less fees (\$ ) already paid for month(s) extension of time on

☒ Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$ 477.00.

☒ The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK

Attorneys for Applicant(s)

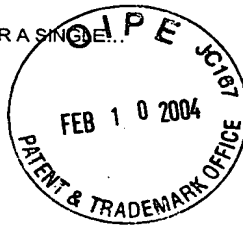
By Jay M. Finkelstein  
Jay M. Finkelstein  
Registration No. 21,082

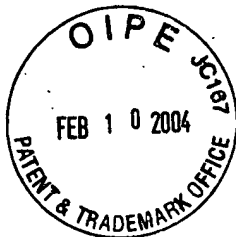
Facsimile: (202) 737-3528  
Telephone: (202) 628-5197

RECEIVED

FEB 13 2004

Technology Center 2600





RECEIVED

FEB 13 2004

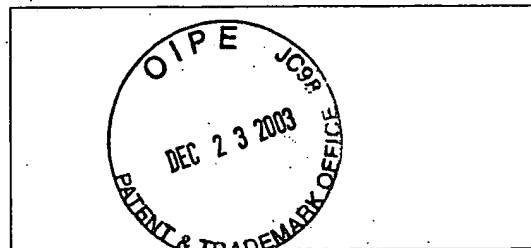
Technology Center 2600

APPLICATION/PATENT NO: 09/594,765  
DOCKET NO: BINDER-9

CONF. NO.: -  
CLIENT CODE: COHN

THE PATENT AND TRADEMARK OFFICE STAMP  
HEREON ACKNOWLEDGES RECEIPT OF THE  
FOLLOWING PAPERS:

- ☒ FEES \$ 477.00  
☒ PTO FORM 2038 ☐ (CH. # \_\_\_\_\_)  
☐ EXTENSION OF TIME (\_\_\_\_\_ MONTHS)  
☒ TRANSMITTAL LETTER  
☐ MISSING PARTS RESPONSE WITH DECL  
☒ AMENDMENT/RESPONSE (circle one)  
☒ PRELIMINARY ☐ SUPPLEMENTAL  
☐ APPLICATION DATA SHEET  
☐ RESTRICTION/ELECTION REPLY  
☐ SEQUENCE LISTING ☐ WITH DISK  
☐ RCE / CPA TRANSMITTAL (circle one)  
☐ NOTICE OF APPEAL  
☐ APPEAL BRIEF (TRIPLICATE)  
☐ REPLY BRIEF (TRIPLICATE)  
☐ OTHER \_\_\_\_\_



- ☐ ASSIGNMENT  
☒ INFORMATION DISCLOSURE STATEMENT  
☒ FORM SB08A & \_\_\_\_\_ PATENTS/PUBS  
☐ PRIORITY DOCUMENT(S) NO. \_\_\_\_\_  
☐ DECLARATION UNDER § \_\_\_\_\_  
☐ LETTER TO DRAFTSMAN  
☐ \_\_\_\_\_ SHEETS OF DRAWINGS  
☐ ISSUE FEE TRANSMITTAL FORM  
☐ MAINTENANCE FEE LETTER